

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN DANIEL FUCHS**, on January 20, 2003 at 9:00 A.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Daniel Fuchs, Chairman (R)
Rep. Ronald Devlin, Vice Chairman (R)
Rep. Ron Erickson, Vice Chairman (D)
Rep. Joan Andersen (R)
Rep. Joe Balyeat (R)
Rep. Gary Branae (D)
Rep. Eileen J. Carney (D)
Rep. Jill Cohenour (D)
Rep. Larry Cyr (D)
Rep. Gary Forrester (D)
Rep. Kim Gillan (D)
Rep. Verdell Jackson (R)
Rep. Bob Lake (R)
Rep. Carol Lambert (R)
Rep. Jesse Laslovich (D)
Rep. Jim Peterson (R)
Rep. John (Jack) W. Ross (R)
Rep. Karl Waitschies (R)

Members Excused: None.

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Jeff Martin, Legislative Branch

Please Note: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A videotaped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 330, 1/16/2003; HB 310,
1/16/2003; HB 334, 1/16/2003

Executive Action: HB 82, TABLED
HB 125, DO PASS AS AMENDED,
15-3

HEARING ON 330

Sponsor: REP. SMITH, HD 98, POPLAR

Opening Statement by Sponsor:

9:01 a.m. REP. SMITH

Proponents' Testimony:

9:04 a.m. SEN. KITZENBERG, SD 48, Glasgow
EXHIBIT(tah11a01)

Opponents' Testimony:

9:16 a.m. Stuart Doggett, Montana Innkeepers Association

9:20 a.m. Mark Simonich, Director, Department of Commerce

9:25 a.m. Pat Anderson, Montana Bed and Breakfast Association

9:26 a.m. Amy Sullivan, Montana Tourism Coalition

Questions from Committee Members and Responses:

9:28 a.m. REP. LAMBERT

9:28 a.m. SEN. KITZENBERG

9:32 a.m. REP. LAMBERT

9:32 a.m. SEN. KITZENBERG

9:33 a.m. REP. BALYEAT

9:34 a.m. SEN. KITZENBERG

9:34 a.m. REP. BALYEAT

9:35 a.m. SEN. KITZENBERG

9:36 a.m. **REP. BALYEAT**

9:37 a.m. **SEN. KITZENBERG**

9:37 a.m. **REP. BALYEAT**

9:38 a.m. **REP. SMITH**

9:37 a.m. **REP. BALYEAT**

9:39 a.m. **REP. SMITH**

9:39 a.m. **REP. BALYEAT**

9:39 a.m. **CHAIRMAN FUCHS**

9:40 a.m. **REP. CARNEY**

9:40 a.m. **Mark Simonich**

9:46 a.m. **REP. CARNEY**

9:46 a.m. **Mark Simonich**

9:48 a.m. **REP. ROSS**

9:48 a.m. **Mark Simonich**

9:48 a.m. **REP. ROSS**

9:49 a.m. **Mark Simonich**

9:49 a.m. **REP. ERICKSON**

9:50 a.m. **REP. FORRESTER**

9:50 a.m. **Stuart Doggett**

9:51 a.m. **REP. CYR**

9:51 a.m. **Pat Anderson**

9:51 a.m. **REP. CYR**

9:51 a.m. **SEN. KITZENBERG**

9:53 a.m. **CHAIRMAN FUCHS**

9:53 a.m. SEN. KITZENBERG

Closing by Sponsor:

9:55 a.m. REP. SMITH

HEARING ON HB 310

Sponsor: REP. FISHER, HD 75, BIG FORK

Opening Statement by Sponsor:

9:57 a.m. REP. FISHER

EXHIBIT(tah11a02)

Proponents' Testimony: None.

Opponents' Testimony:

Informational Testimony:

10:07 a.m. Dallas Reese, Department of Revenue

Questions from Committee Members and Responses:

10:07 a.m. REP. JACKSON

10:08 a.m. REP. FISHER

10:10 a.m. REP. LAMBERT

10:11 a.m. REP. FISHER

10:12 a.m. REP. LAMBERT

10:12 a.m. REP. FISHER

10:12 a.m. REP. BALYEAT

10:13 a.m. REP. FISHER

10:15 a.m. REP. BALYEAT

10:16 a.m. REP. FISHER

10:16 a.m. REP. FORRESTER

10:17 a.m. REP. FISHER

10:17 a.m. **REP. PETERSON**

10:18 a.m. **REP. FISHER**

10:19 a.m. **REP. PETERSON**

10:19 a.m. **REP. FISHER**

10:20 a.m. **REP. ERICKSON**

10:21 a.m. **REP. FISHER**

10:23 a.m. **REP. ERICKSON**

10:24 a.m. **REP. FISHER**

10:26 a.m. **REP. WAITSCHIES**

10:27 a.m. **REP. FISHER**

10:29 a.m. **CHAIRMAN FUCHS**

10:29 a.m. **REP. DEVLIN**

10:29 a.m. **REP. FISHER**

10:29 a.m. **REP. DEVLIN**

10:30 a.m. **REP. FISHER**

Closing by Sponsor:

10:31 a.m. **REP. FISHER**

10:34 a.m. **REP. FORRESTER**

10:34 a.m. **Dallas Reese**

10:35 a.m. **REP. ERICKSON**

10:35 a.m. **Dallas Reese**

10:35 a.m. **REP. ERICKSON**

10:35 a.m. **CHAIRMAN FUCHS**

HEARING ON HB 334

Sponsor: REP. KAUFMANN, HD 53, HELENA

Opening Statement by Sponsor:

10:36 a.m. REP. KAUFMANN

Proponents' Testimony:

EXHIBIT(tah11a03)

10:42 a.m. Jeff Hagener, Director, Fish, Wildlife and Parks (FWP)

10:44 a.m. Nathan Birkeland, Montana Wildlife Federation

Opponents' Testimony: None.

Questions from Committee Members and Responses:

10:44 a.m. CHAIRMAN FUCHS

10:44 a.m. Jeff Hagener

10:45 a.m. REP. LAMBERT

10:45 a.m. REP. KAUFMANN

10:46 a.m. REP. BALYEAT

10:46 a.m. Doug Monger, FWP

10:48 a.m. REP. BALYEAT

10:48 a.m. Doug Monger

10:48 a.m. REP. BALYEAT

10:48 a.m. Doug Monger

10:49 a.m. REP. BALYEAT

10:49 a.m. Doug Monger

10:50 a.m. REP. BALYEAT

10:50 a.m. Doug Monger

10:51 a.m. **REP. BALLYEAT**
10:51 a.m. **REP. KAUFMANN**
10:52 a.m. **REP. BALLYEAT**
10:53 a.m. **REP. KAUFMANN**
10:53 a.m. **REP. GILLAN**
10:54 a.m. **REP. KAUFMANN**
10:54 a.m. **REP. GILLAN**
10:54 a.m. **REP. KAUFMANN**
10:55 a.m. **REP. GILLAN**
10:56 a.m. **REP. KAUFMANN**
10:56 a.m. **REP. GILLAN**
10:57 a.m. **REP. KAUFMANN**
10:57 a.m. **REP. LAKE**
10:57 a.m. **REP. KAUFMANN**
10:58 a.m. **REP. LAKE**
10:59 a.m. **Jeff Hagener**
11:00 a.m. **REP. LAKE**
11:00 a.m. **Doug Monger**
11:02 a.m. **REP. CARNEY**
11:02 a.m. **Doug Monger**
Closing by Sponsor:
11:02 a.m. **REP. KAUFMANN**

EXECUTIVE ACTION ON HB 231

Motion: 11:04 a.m. **REP. WAITSCHIES** moved that **HB 231 DO PASS.**

Motion: 11:05 a.m. REP. WAITSCHIES moved that HB 231 BE AMENDED.
EXHIBIT(tah11a04)

11:07 a.m. REP. WAITSCHIES withdrew his motion.

EXECUTIVE ACTION ON HB 82

Motion: 11:08 a.m. REP. ERICKSON moved that HB 82 DO PASS.

Motion: 11:09 a.m. REP. BRANAE moved HB 82 BE AMENDED.
EXHIBIT(tah11a05)

Discussion:

11:10 a.m. Jeff Martin

11:11 a.m. REP. FORRESTER

11:12 a.m. Jeff Martin

11:13 a.m. REP. ERICKSON

11:13 a.m. CHAIRMAN FUCHS

11:13 a.m. REP. ERICKSON

11:14 a.m. REP. COHENOUR

11:15 a.m. CHAIRMAN FUCHS

Vote: Motion carried unanimously by voice vote.

Discussion:

11:16 a.m. REP. BALYEAT

11:17 a.m. CHAIRMAN FUCHS

11:17 a.m. REP. ERICKSON

11:18 a.m. REP. WAITSCHIES

11:19 a.m. REP. LASLOVICH

11:21 a.m. REP. DEVLIN

11:23 a.m. REP. LASLOVICH

11:24 a.m. REP. BALLYEAT

11:25 a.m. CHAIRMAN FUCHS

Motion/Vote: MOTION WAS MADE that HB 82 DO PASS AS AMENDED.
Motion failed 5-14 with REPS. BRANAE, COHENOUR, ERICKSON, FUCHS,
GILLAN voting aye by roll call vote.

Motion/Vote: REP. DEVLIN moved to REVERSE TO TABLE. Motion
carried by voice vote.

EXECUTIVE ACTION ON HB 125

EXHIBIT(tah11a06)

Motion: REP. LAMBERT moved that HB 125 DO PASS.

Motion/Vote: REP. LAMBERT moved that HB 125 BE AMENDED. Motion
carried unanimously by voice vote.

Discussion:

11:31 a.m. Jeff Martin

11:32 a.m. REP. DEVLIN

11:33 a.m. Brad Simshaw

11:34 a.m. REP. PETERSON

11:35 a.m. CHAIRMAN FUCHS

11:35 a.m. Jeff Martin

11:36 a.m. REP. BALLYEAT

11:36 a.m. Jeff Martin

11:36 a.m. REP. WAITSCHIES

11:37 a.m. REP. DEVLIN

11:37 a.m. CHAIRMAN FUCHS

11:37 a.m. REP. BALLYEAT

Motion 11:38 a.m. REP. FUCHS moved that HB 125 DO PASS AS AMENDED.

Motion/Vote: REP. BALLYEAT moved that HB 125 BE AMENDED. Motion carried unanimously by voice vote.

Discussion:

11:39 a.m. REP. FUCHS

Motion: 11:38 a.m. REP. LAMBERT moved that HB 125 DO PASS AS AMENDED.

Motion: 11:39 a.m. REP. BALLYEAT moved that HB 125 BE AMENDED.

Discussion:

11:40 a.m. REP. FORRESTER

11:40 a.m. REP. BALLYEAT

11:41 a.m. REP. FORRESTER

11:42 a.m. REP. LAMBERT

11:43 a.m. REP. BALLYEAT

11:44 a.m. REP. LAMBERT

Vote: Motion carried with REPS. CYR, FORRESTER, and GILLAN voting no by roll call vote (REP. JACKSON absent for vote).

Motion: 11:45 a.m. REP. FUCHS moved that HB 125 DO PASS AS AMENDED.

Discussion:

11:46 a.m. REP. BALLYEAT

11:46 a.m. REP. ROSS

11:47 a.m. REP. FORRESTER

11:48 a.m. REP. FUCHS

11:48 a.m. REP. ERICKSON

Vote: Motion carried with REPS. CYR, FORRESTER, and GILLAN
voting no by voice vote and REP. JACKSON voting aye by proxy.

ADJOURNMENT

Adjournment: 11 A.M.

REP. DANIEL FUCHS, Chairman

KATHLEEN ELY, Secretary

DF/KE

EXHIBIT (tah11aad)